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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Steven F. Bierman

Appl. No. : 10/826,689

Filed : April 16, 2004

For : ENDO-TRACHEAL TUBE
SECUREMENT SYSTEM

Examiner : Mital B. Patel


) Group Art Unit 3743

) CERTIFICATE OF MAILING

) I hereby certify that this correspondence and all
) marked attachments are being deposited with the
) United States Postal Service as first-class mail in
) an envelope addressed to: Commissioner for
) Patents, P.O. Box 1450, Alexandria, VA 22313-
) 1450, on

) February 16, 2005

) (Date)

) 
) James F. Herkenhoff, Reg. No. 51,241

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §3.73(b), Petitioner, Venetec International Inc., a Delaware corporation, represents that it is the assignee and sole owner of the entire right, title and interest in the patent application identified above by virtue of an assignment. A copy of this assignment is recorded at Reel 014840/Frame 0994.

This application is a continuation-in-part of application Serial No. 10/270,883, filed 11 October 2002, now U.S. Patent No. 6,796,310, issued on 28 September 2004. Petitioner certifies that it is the assignee and sole owner of the entire right, title and interest in and to U.S. Patent No. 6,796,310 by virtue of assignment from the inventor, Steven F. Bierman, M.D. This assignment document is recorded with the U.S. Patent and Trademark Office at Reel 013660/ Frame 0594.

Pursuant to 37 C.F.R. § 1.321(b), Petitioner hereby disclaims the terminal part of a patent granted on the above-captioned application that would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,796,310 and hereby agrees that a patent so granted on the above-captioned application will be enforceable only for and during such period that the legal title to the

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patent shall be the same as the legal title to U.S. Patent No. 6,796,310. This agreement extends to the patent granted on the above-captioned application and will be binding on Petitioner's successors and assigns.

Petitioner does not disclaim any terminal part of a patent granted on the above-captioned application before the expiration date of the full statutory term of U.S. Patent No. 6,796,310 in the event that this patent later: expires for failure to pay maintenance fees; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under C.F.R. § 1.321(a); has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term.


The undersigned representative verifies that he is authorized to take this action on behalf of the Petitioner.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 2/16/05

By: 
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